

(2) Effective May 9, 1983, 13 percent simple interest per annum for a loan which finances the purchase of a lot only and the cost of necessary site preparation, if any.

(3) Effective May 9, 1983, 13 percent simple interest per annum for a loan which will finance the simultaneous acquisition of a manufactured home and a lot and/or the site preparation necessary to make a lot acceptable as the site for the manufactured home.

2. Section 36.4311 is revised as follows:

§ 36.4311 Interest rates.

(a) Excepting loans guaranteed or insured pursuant to guaranty or insurance commitments issued by the Veterans Administration which specify an interest rate in excess of 11½ percent per annum, effective May 9, 1983, the interest rate on any home or condominium loan, other than a graduated payment mortgage loan, guaranteed or insured wholly or in part on or after such date may not exceed 11½ percent per annum on the unpaid principal balance. (38 U.S.C. 1803(c)(1))

(b) Excepting loans guaranteed or insured pursuant to guaranty or insurance commitments issued by the Veterans Administration which specify an interest rate in excess of 11¼ percent per annum, effective May 9, 1983, the interest rate of any graduated payment mortgage loan guaranteed or insured wholly or in part on or after such date may not exceed 11¼ percent per annum. (38 U.S.C. 1803(c)(1)).

(c) Effective October 13, 1982, the interest rate on any loan solely for energy conservation improvements or other alterations, improvements or repairs which is guaranteed or insured wholly or in part on or after such date may not exceed 13 percent per annum on the unpaid principal balance. (38 U.S.C. 1803(c)(1))

(d) Interest in excess of the rate reported by the lender when requesting evidence of guaranty or insurance shall not be payable on any advance, or in the event of any delinquency or default: *Provided*, That a late charge not in excess of an amount equal to 4 percent on any installment paid more than 15 days after due date shall not be considered a violation of this limitation.

(e) Refinancing loans for the purpose of an interest rate reduction (38 U.S.C. 1810(a)(8)) may specify an interest rate in excess of the rate specified in paragraphs (a), (b) and (c) of this section provided the interest rate of the refinancing loan is less than the interest rate of the current Veterans Administration loan being refinanced. (38 U.S.C. 1803(c)(1) and 1810(c))

3. In § 36.4503, paragraph (a) is revised to read as follows:

§ 36.4503 Amount and amortization.

(a) The original principal amount of any loan made on or after October 1, 1980, shall not exceed an amount which bears the same ratio to \$33,000 as the amount of the guaranty to which the veteran is enrolled under 38 U.S.C. 1810 at the time the loan is made bears to \$27,500. This limitation shall not preclude the making of advances, otherwise proper, subsequent to the making of the loan pursuant to the provisions of § 36.4511. Except as to home improvement loans, loans made by the Veterans Administration shall bear interest at the rate of 11½ percent per annum. Loans solely for the purpose of energy conservation improvements or other alterations, improvements, or repairs shall bear interest at the rate of 13 percent per annum. (38 U.S.C. 1811(d) (1) and (2)(A))

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[A-5-FRL 2339-8]

Approval and Promulgation of Implementation Plans; Indiana

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rulemaking.

SUMMARY: The EPA is approving a Marion County, Indiana, open burning regulation as a revision to the Indiana State Implementation Plan (SIP) for total suspended particulates (TSP). This regulation will decrease TSP levels in Marion County and will assist in attaining the TSP National Ambient Air Quality Standards (NAAQS) there.

EFFECTIVE DATE: This final rulemaking becomes effective on June 17, 1983.

ADDRESSES: Copies of this revision to the Indiana SIP are available for inspection at: The Office of the Federal Register, 1100 L Street, NW., Room 8401, Washington, D.C. 20408.

Copies of the SIP revision, the public comment on the notice of proposed rulemaking and other materials relating to this rulemaking are available for inspection at the following addresses: (It is recommended that you telephone Robert B. Miller at (312) 886-6031 before visiting the Region V Office).

Environmental Protection Agency,
Region V, Air Programs Branch, 230
South Dearborn Street, Chicago,
Illinois 60604

Environmental Protection Agency,
Public Information Reference Unit, 401
M Street, SW., Washington, D.C.
20460

Indiana Air Pollution Control Division,
Indiana State Board of Health, 1330
West Michigan Street, Indianapolis,
Indiana 46206

FOR FURTHER INFORMATION CONTACT:
Robert B. Miller (312) 886-6031.

SUPPLEMENTARY INFORMATION: Under Section 107 of the Clean Air Act (Act), EPA has designated certain areas in each State, including portions of Marion County, Indiana, as not attaining the NAAQS for TSP.¹ See 43 FR 8962 (March 3, 1978) and 43 FR 45993 (October 5, 1978). For these areas, Part D of the Act requires that the State revise its SIP to provide for attaining the primary NAAQS by December 31, 1982. These SIP revisions must also provide for attaining the secondary NAAQS as soon as practicable. The requirements for an approvable SIP are described in a "General Preamble" for Part D rulemakings published at 44 FR 20372 (April 4, 1979), 44 FR 38583 (July 2, 1979), 44 FR 50371 (August 28, 1979), 44 FR 53761 (September 17, 1979), and 44 FR 67182 (November 23, 1979).

In response to Part D of the Act, on February 11, 1980, Indiana submitted its Marion County TSP SIP strategy to EPA. A supplement was submitted on October 28, 1981. The Marion County plan was based on requiring reasonably available control technology (RACT) to be placed on all existing industrial sources and studying various nontraditional fugitive dust control methods to bring Marion County into attainment. EPA conditionally approved the plan on July 16, 1982 (47 FR 30972), except for the coke battery regulation.

In its final rulemaking, EPA noted that Indiana had submitted a Marion County open burning regulation on April 16, 1982, and that EPA would rulemake on it and the coke battery regulation in subsequent *Federal Register* notices. An amended version of the Marion County open burning regulation was submitted on August 25, 1982. EPA proposed the August 25, 1982, regulation for public comment on September 9, 1982 (47 FR 39696). One comment was received in response to this proposal. After reviewing the regulation and the comment received, EPA today is

¹ The primary TSP NAAQS is violated when, in a year, either: (1) The geometric mean value of a site's TSP concentrations exceeds 75 micrograms per cubic meter of air (75 µg/m³) (the annual standard), or (2) the maximum 24-hour concentration of TSP exceeds 260 µg/m³ more than once (the 24-hour primary standard). The secondary TSP standard is violated when, in a year, the maximum 24-hour concentration exceeds 150 µg/m³ more than once.

approving the August 25, 1982 Marion County open burning regulation.

EPA is approving the Marion County open burning regulation as a revision to the SIP because this regulation should lead to a reduction in particulate levels in Marion County over those levels predicted to be emitted under the present SIP. It should also lead to reductions in the hydrocarbon levels (precursors to ozone) and the carbon monoxide levels. While EPA conditionally approved the Marion County TSP plan without an open burning regulation as meeting the requirements of Part D of the Act, inclusion of an open burning regulation will assist Indiana in its goal of attaining the NAAQS in Marion County. EPA's approval today of the Marion County regulation supplements but does not replace the currently approved State regulation (325 IAC Article 4-1, which was formerly APC 2). The general State regulation will remain a part of the Marion County SIP. EPA will recognize variances to these regulations given by the State or the County only if they are submitted and approved as revisions to the SIP.

In response to the September 9, 1982, notice of proposed rulemaking (NPR), EPA received one comment from the State of Connecticut. The comment noted that, in Connecticut, no trash burning is allowed for homeowners and brush burning is severely restricted. The commenter believed that the Marion County open burning regulation is a relaxation from the existing SIP and wished to know what additional restrictions are being placed on Marion County sources in order to compensate for this relaxation.

Contrary to the commenter's contention, the Marion County open burning regulation is more stringent than the statewide regulation, 325 IAC Article 4-1, which was the only approved SIP regulation in Marion County. (As stated earlier, 325 IAC Article 4-1 remains applicable in Marion County.) Therefore, the SIP is not being relaxed.

EPA has previously reviewed Indiana's total TSP package of regulations for Marion County in relation to the Part D TSP SIP. Indiana's strategy is based on RACT plus further studies of nontraditional sources. EPA approved this package as sufficient on July 16, 1982. Because the new Marion County regulation is more stringent, today's action on this regulation should lead to more expeditious attainment of the NAAQS in Marion County.

The Office of Management and Budget has exempted this rule from the requirements of Section 3 of Executive Order 12291.

Under section 307(b)(1) of the Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by 60 days from today. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

List of Subjects in 40 CFR Part 52

Air pollution control, Ozone, Sulfur oxides, Nitrogen dioxide, Lead, Particulate matter, Carbon monoxide, Hydrocarbons, Intergovernmental relations.

Note.—Incorporation by reference of the State Implementation Plan for the State of Indiana was approval by the Director of the Federal Register on July 1, 1982.

This notice is issued under authority of Sections 110 and 172 of the Clean air Act, as amended (42 U.S.C. 7410 and 7502).

Dated: May 11, 1983.

Lee L. Verstandig,
Acting Administrator.

PART 52—APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Title 40 of the Code of Federal Regulations, Chapter I, Part 52 is amended as follows:

1. Section 52.770 is amended by adding paragraph (c)(44) as follows:

§ 52.770 Identification of plan.

* * * * *

(c) * * *

(44) On June 28, 1982, Indiana submitted new open burning regulations for Marion County. An amendment was submitted on August 25, 1982.

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BILLING CODE 6560-50-M

40 CFR Part 52

[A-5-FRL 2323-4]

Approval and Promulgation of Implementation Plans; Indiana

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rulemaking.

SUMMARY: The EPA announces final rulemaking action on revisions to the Indiana State Implementation Plan (SIP) for ozone and total suspended particulate (TSP). The revision pertains to source specific emission limitations contained in operating permits which have been issued by the State to Jeffboat, Incorporated, located in Jeffersonville, Indiana. The operating

permits set forth specific limitations on the total amount of hydrocarbon [also known as volatile organic compound (VOC)] and particulate emissions from certain paint spraying and metal cleaning operations at Jeffboat, Incorporated. The intent of today's rulemaking is to incorporate these emission limitations into the State's SIP.

EFFECTIVE DATE: This final rulemaking becomes effective on June 17, 1983.

ADDRESSES: Copies of this revision to the Indiana SIP are available for inspection at: The Office of the Federal Register, 1100 L Street, NW., Room 8401, Washington, D.C. 20408.

Copies of the SIP revision, public comments on the notice of proposed rulemaking and other materials relating to this rulemaking are available for inspection at the following addresses: Environmental Protection Agency,

Region V, Air Programs Branch 230
South Dearborn Street, Chicago,
Illinois 60604

Environmental Protection Agency,
Public Information Reference Unit, 401
M Street, SW., Washington, D.C.
20460

Indiana Air Pollution Control Division,
Indiana State Board of Health, 1330
West Michigan Street, Indianapolis,
Indiana 46206

FOR FURTHER INFORMATION CONTACT:
Sharon Reinders (312) 886-6034.

SUPPLEMENTARY INFORMATION:

Background

On November 24, 1981, the Indiana Air Pollution Control Board, submitted a revision to the Indiana SIP. The revision is in the form of two operating permits for Jeffboat, Incorporated, located in Jeffersonville, Indiana, a designated nonattainment area for the pollutants ozone and TSP. The permits set forth the following emission limitations.

Source	Operation	Pollutant	Emission limit
Plate shop	Paint spraying...	Ozone ¹	110 lbs/hr, 2600 lbs/day, 340 t/yr.
	Metal Cleaning..	TSP.....	5 lbs/hr, 15 t/yr.
Structural shop	Paint spraying....	Ozone.....	88 lbs/hr, 2100 lbs/day, 274 t/yr.
	Metal Cleaning..	TSP.....	14 lbs/hr, 43 t/yr.

¹ Permit limits pertain to volatile organic compounds

As shown above, VOC emissions from paint spraying are limited to 198 pounds per hour, 4700 pounds per day, and 614 tons per year. TSP emissions from metal cleaning and spraying are limited to 19 pounds per hour and 58 tons per year. The technical support developed by the